

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Timothy S. Buckley, Associate Justice; Honorable Dennis A. Cornell, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Diana Monopoli, Deputy Clerk.

**F032918      The Muscat Ranch v. Gary W. Peterson, as Tax Collector of Fresno County et al.**

Cause called and argued by Joanne E. Morrison, Esq., counsel for appellant The Muscat Ranch; by Catherine E. Basham, Esq., counsel for respondent Gary W. Peterson and by Daniel A. Bacon, Esq., counsel for respondent JHS Family Limited et al.

Cause ordered submitted.

Court recessed until Thursday, April 12, 2001 at 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Nickolas J. Dibiaso, Associate Justice; Honorable Timothy S. Buckley, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Nick A. Grigsby, Deputy Clerk.

**F032493      Lewis C. Nelson & Sons, Inc. v. Clovis Unified School District**  
**F033135**

Cause called and argued by Marjorie Manning Esq., counsel for appellant Clovis Unified School District and by Robert L. Leslie, Esq., counsel for respondent Lewis C. Nelson & Sons, Inc.

Cause ordered submitted.

Court recessed until Friday, April 13, 2001 at 10:00 A.M.

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Fifth Appellate District

**F035219      People v. Munson**

The true findings on the sections 667, 1170.12 and 667.5, subdivision (b) allegations are each reversed. The sentence imposed on count I is vacated. In all other respects, the judgment is affirmed. The matter is remanded for resentencing as well as any other appropriate proceedings.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F034116      People v. Ochoa**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F035905      In re Rafael T., a Minor**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F033279      People v. Loring**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F034291      People v. Torres**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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**F037287      In re Justin S., a Minor**

**Kings County Department of Human Services v. Karen S.**

No brief or request for extension of time having been filed with the time provided, the appeal is dismissed

**F036864      In re Christopher B., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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- F036864**      **In re Christopher B., a Minor**  
The order terminating parental rights is affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F034568**      **People v. Leng**  
The judgment is affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F034116**      **People v. Ochoa**  
The judgment is affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F033406**      **People v. Cervantes**  
The sentence on count II is stayed pursuant to section 654. In all other respects, the judgment is affirmed. The trial court is directed to issue an amended abstract of judgment and forward a certified copy thereof to all appropriate authorities.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F035286**      **People v. Magana**  
The judgment is affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F034925**      **People v. Robert**  
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F037266      In re Andrew L., a Minor**

No brief or request for extension of time having been filed within the time provided, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F037366      In re Dashian B., a Minor**

No brief or request for extension of time having been filed within the time provided, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.